

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Grant E. DUBOIS et al.	)	Group Art Unit: 1761
	)	
Application No.: 09/838,809	)	Examiner: Carolyn A. PADEN
	)	
Filed: April 20, 2001	)	Confirmation No.: 3526
	)	
For: NON CALORIC FROZEN	)	
CARBONATED BEVERAGE	)	

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**VIA EFS-Web**

Sir:

**SUBMISSION UNDER 37 C.F.R. §1.115**

In response to the non-final Office Action dated November 20, 2006, the period for response having been extended by the petition and fee filed herewith, please consider the following remarks.

**Remarks** begin at page 2 of this paper.